

ADJOURNMENT

President Pro Tempore Glasgow announced that the purpose of the Joint Session had been accomplished and that the Senate at 12:30 p.m. would stand adjourned until 10:00 a.m. tomorrow, in accordance with a motion previously adopted by the Senate.

THIRD DAY

(Wednesday, January 16, 1991)

The Senate met at 10:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Carriker, Dickson, Ellis, Glasgow, Haley, Harris of Tarrant, Harris of Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford, Parker, Ratliff, Rosson, Tejeda, Truan, Turner, Whitmire, Zaffirini.

Absent-excused: Green, Sims.

A quorum was announced present.

The Reverend David Penticuff of St. Peter's Episcopal Church, Lago Vista, offered the invocation as follows:

Almighty God, author of peace and lover of concord, we join our prayers to those of the multitudes throughout the world who are praying that Thou wilt enlighten us by showing us a path to peace. But even in times of crisis Thy people must be governed, so it is that we pause in a moment of somber reflection to ask Thy blessing upon the Senate of our beloved State of Texas.

Through the prophet Micah, Thou hast shown us, Lord, what is good and what is required of us; that is: to love kindness, to do justice and to walk humbly with Thee. By the power of Thy Holy Spirit, inscribe these words upon the mind of the Lieutenant Governor and of each Member of this Senate. Graft them into their hearts and souls, that, through Thy indwelling presence, they may deliberate in kindness, enact law with justice, and exercise their power with humility.

All of which we ask in the name of He who came among us in perfect humility, Thy Son Jesus Christ, our Lord. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Sims was granted leave of absence for today on account of important business on motion of Senator Brooks.

SENATE STANDING COMMITTEES

The President announced the appointment of the following as Standing Committees for the 72nd Legislature:

* Denotes previous service on Standing, Subcommittee, or Special Committee.

CRIMINAL JUSTICE (Standing)

- * Lyon, Chair
- * Brown, Vice Chair (R)
- * Ellis
Harris of Tarrant (R)
- Sims
- * Tejeda
(District 9)

ECONOMIC DEVELOPMENT (Standing)

- * Dickson, Chair
- * Harris of Dallas, Vice Chair (R)
- * Carriker
- * Haley
Harris of Tarrant (R)
- * Henderson (R)
- * Leedom (R)
Parker
Rosson
Turner
- * Whitmire

SUBCOMMITTEE ON INSURANCE

- Parker, Chair
- Harris of Dallas, Vice Chair (R)
- Carriker
- Henderson (R)
- Turner

EDUCATION (Standing)

- * Parker, Chair
- * Halcy, Vice Chair
- * Barrientos
Bivins (R)
- * Brooks
Glasgow
- * Green
- * Johnson
- * Krier (R)
Ratliff (R)
- * Zaffirini

FINANCE (Standing)

- * Montford, Chair
- * Barrientos, Vice Chair
Armbrister
Bivins (R)
- * Brooks
Haley
- * Johnson
- * Parker
Ratliff (R)
- * Sims
Tejeda

- * Truan
Turner

HEALTH AND HUMAN SERVICES (Standing)

- * Brooks, Chair
- * Truan, Vice Chair
Harris of Tarrant (R)
- * Johnson
Krier (R)
Lyon
Moncrief
Montford
- * Zaffirini

SUBCOMMITTEE ON HEALTH SERVICES

- Zaffirini, Chair
- * Truan, Vice Chair
Johnson
Krier (R)
Moncrief

INTERGOVERNMENTAL RELATIONS (Standing)

- * Whitmire, Chair
- * Leedom, Vice Chair (R)
- * Armbrister
Bivins (R)
- * Brown (R)
- * Ellis
Lucio
Moncrief
- * Tejeda
Turner
(District 9)

SUBCOMMITTEE ON URBAN AFFAIRS

- * Tejeda, Chair
Armbrister, Vice Chair
- * Ellis
- * Leedom (R)
Lucio

JURISPRUDENCE (Standing)

- Green, Chair
- * Glasgow, Vice Chair
- * Dickson
Harris of Dallas (R)
- * Henderson (R)
- * Krier (R)
Montford

NATURAL RESOURCES (Standing)

- * Sims, Chair
Truan, Vice Chair
- * Armbrister
Barrientos
- * Brown (R)

- * Carriker
Lucio
- * Ratliff (R)
Rosson
- * Zaffirini
(District 9)

SUBCOMMITTEE ON AGRICULTURE

- * Carriker, Chair
- * Armbrister, Vice Chair
Lucio
Ratliff (R)
(District 9)

SUBCOMMITTEE ON WATER

- Truan, Chair
- * Brown, Vice Chair (R)
Barrientos
Rosson
- * Zaffirini

STATE AFFAIRS (Standing)

- * Glasgow, Chair
- * Henderson, Vice Chair (R)
Carrkier
Dickson
- * Ellis
- * Green
- * Harris of Dallas (R)
- * Leedom (R)
Lucio
- * Lyon
Moncrief
Rosson
Whitmire

SUBCOMMITTEE ON ELECTIONS & ETHICS

- Carrker, Chair
Glasgow, Vice Chair
Dickson
- * Green
- * Lyon

ADMINISTRATION (Special)

- Haley, Chair
- * Brooks, Vice Chair
Barrientos
Dickson
- * Glasgow
Green
Lyon
- * Montford
- * Parker

* Sims
Whitmire

NOMINATIONS (Special)

Barrientos, Chair
* Harris of Dallas, Vice Chair (R)
* Armbrister
* Brooks
Dickson
Glasgow
Johnson

**COMMITTEE OF THE WHOLE
ON REDISTRICTING (Special)**

Brooks, Chair

**SUBCOMMITTEE ON
LEGISLATIVE DISTRICTS**

Glasgow, Chair
Harris of Dallas, Vice Chair (R)
Bivins (R)
Carriker
Dickson
Ellis
Green
Haley
Krier (R)
Lucio
Montford
Parker
Ratliff (R)
Truan
Zaffirini
Bullock
Brooks

**SUBCOMMITTEE ON
CONGRESSIONAL DISTRICTS**

Johnson, Chair
Tejeda, Vice Chair
Armbrister
Barrientos
Brown (R)
Harris of Tarrant (R)
Henderson (R)
Leedom (R)
Lyon
Moncrief
Rosson
Sims

Turner
Whitmire
(District 9)
Bullock
Brooks

SENATE BILL AND RESOLUTION ON FIRST READING

The following bill and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 1 by Glasgow, Armbrister, State Affairs
Barrientos, Bivins, Subcommittee on Elections and Ethics
Brooks, Brown, Carriker, Dickson, Ellis, Green, Haley, Harris of Tarrant, Harris of
Dallas, Henderson, Johnson, Krier, Leedom, Lucio, Lyon, Moncrief, Montford,
Parker, Ratliff, Rosson, Sims, Tejeda, Truan, Turner, Whitmire, Zaffirini
Relating to the composition, powers, and duties of the Texas Elections and Ethics
Commission; to registration, reporting, and restrictions concerning expenditures
made to influence legislation or administrative action; to personal financial
statements filed by state officers and employees; and to the acceptance, use, and
reporting of political contributions and expenditures; making an appropriation;
creating a fund; creating offenses and providing penalties.

S.J.R. 8 by Glasgow State Affairs
Proposing a constitutional amendment to establish the Texas Elections and Ethics
Commission to administer laws regulating elections and ethics and to prescribe the
compensation of legislators, the lieutenant governor, and the speaker of the house
of representatives.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the
Committee on Nominations:

Austin, Texas
January 16, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the
following appointments:

TO BE SECRETARY OF STATE during the term of office of this Governor:
JOHN H. HANNAH, JR.
423 S. Chilton
Tyler, Texas 75792

Mr. Hannah will be replacing George Bayoud of Austin, whose term expired.

TO BE COMMISSIONER OF THE TEXAS RAILROAD COMMISSION until
the next General Election and until her successor shall be duly elected and qualified:
LENA GUERRERO
3202 Santa Fe Drive
Austin, Texas 78741

Ms. Guerrero will be replacing John Sharp of Austin, who was elected Comptroller
of Public Accounts.

Respectfully submitted,
/s/Ann W. Richards
Governor of Texas

MESSAGE FROM THE TEXAS WATER DEVELOPMENT BOARD

The following Message from the Texas Water Development Board was read and was referred to the Committee on Nominations:

TEXAS WATER DEVELOPMENT BOARD

October 22, 1990

The Honorable Chet Edwards, Chairman
Senate Nominations Committee
P. O. Box 12068, Capitol Station
Austin, Texas 78711

Dear Chairman Edwards:

Re: Appointment of Board of Directors, Lower Neches
Valley Authority

Pursuant to the provisions of Article 820-103, Vernon's Texas Civil Statutes, as amended by the 71st Legislature, Regular Session, Chapter 873, p. 3863, the Texas Water Development Board, with the advice and consent of the Senate, appoints the nine-member board of directors of the Lower Neches Valley Authority. At its October 18, 1990 meeting, the Texas Water Development Board appointed Judge Thomas A. Thomas of Port Arthur, Jefferson County, to replace Mr. William Doornbos, who resigned due to poor health. The term expires on July 28, 1993.

Sincerely yours,

/s/G. E. Kretzschmar
Executive Administrator

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
January 9, 1991

TO THE SENATE OF THE SEVENTY-SECOND LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1991: MRS. MARILYN ADAMS of Austin, Travis County, will be replacing Hazel Moye of McAllen, who resigned.

TO BE A MEMBER OF THE EAST TEXAS STATE UNIVERSITY BOARD OF REGENTS: For a term to expire February 15, 1995: MR. JOHN R. ARMSTRONG of Bonham, Fannin County, will be replacing Herman Furlough, Jr., of Terrell, whose term expired.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MR. JOSEPH ALLEN ATKISON, JR., of Austin, Travis County, will be replacing George Rice of Nacogdoches, whose term expired.

TO BE A MEMBER OF THE GOVERNING BOARD OF THE TEXAS SCHOOL FOR THE DEAF: For a term to expire January 31, 1993: MS. TRENA

LENELL BAXLEY of Livingston, Polk County, will be replacing Dr. Kenneth Altshuler of Dallas, who resigned.

TO BE A MEMBER OF THE AGRICULTURAL RESOURCES PROTECTION AUTHORITY: For a term to expire February 1, 1991: MR. W. THOMAS BEARD III of Alpine, Brewster County, will be replacing Othal Brand of McAllen, whose name was withdrawn.

TO BE A MEMBER OF THE HOSPITAL LICENSING ADVISORY COUNCIL: For a term to expire December 7, 1995: DR. SUSANNA E. BEDELL of Palestine, Anderson County, will be replacing Dr. Richard Ballard of McAllen, who resigned.

TO BE A MEMBER OF THE STATE SEED AND PLANT BOARD: For a term to expire October 6, 1991: DR. WILLIAM F. BENNETT, SR., of Lubbock, Lubbock County, will be replacing Dr. David Koepp of Lubbock, who is deceased.

TO BE A MEMBER OF THE DEPARTMENT OF INFORMATION RESOURCES: For a term to expire February 1, 1995: MR. JON MARTIN BRADLEY of Dallas, Dallas County, is filling a new position pursuant to Article 4413 (32j) V.C.S.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MR. WINFREE L. BROWN of Midland, Midland County, will be replacing Barbara Sinclair of Rockwall, whose term expired.

TO BE A MEMBER OF THE TEXAS NATIONAL RESEARCH LABORATORY COMMISSION: For a term to expire February 1, 1993: MR. J. FRED BUCY of Dallas, Dallas County, will be replacing Morton H. Meyerson of Dallas, who resigned.

TO BE A MEMBER OF THE DEPARTMENT OF INFORMATION RESOURCES: For a term to expire February 1, 1991: MR. R. D. "DAN" BURCK of Austin, Travis County, is being appointed to a new position pursuant to H.B. 2736, 71st Legislature, Regular Session, on the recommendation of Speaker Lewis.

TO BE A MEMBER OF THE GOVERNING BOARD OF THE TEXAS SCHOOL FOR THE DEAF: For a term to expire January 31, 1995: MRS. BEATRICE M. BURKE of Big Spring, Howard County, will be replacing Irene Jones of Fort Worth, who resigned.

TO BE A MEMBER OF THE TEXAS DEPARTMENT ON AGING: For a term to expire February 1, 1993: MRS. PENNY BUTLER of Houston, Harris County, will be replacing Dr. Carl Westbrook of Tyler, who resigned.

TO BE A MEMBER OF THE ANTIQUITIES COMMITTEE: For a term to expire January 31, 1991: DR. RANDOLPH B. "MIKE" CAMPBELL of Denton, Denton County, will be replacing Dr. Thomas William Cutrer of Austin, who is no longer eligible.

TO BE A MEMBER OF THE TEXAS VETERANS COMMISSION: For a term to expire December 31, 1995: MR. MANUEL A. CANO of Mercedes, Hidalgo County, will be replacing Arturo Benavides of Bruno, whose term expired.

TO BE A MEMBER OF THE TEXAS JUVENILE PROBATION COMMISSION: For a term to expire August 31, 1993: MR. ELVIN LEE CARAWAY of Fort Worth, Tarrant County, will be replacing Robert J. Lerma of Brownsville, who was not confirmed by the Senate.

TO BE A MEMBER OF THE RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY BOARD OF DIRECTORS: For a term to expire April 30, 1992: MR. CHARLES CAESAR CARDENAS of McAllen, Hidalgo County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS: For a term to expire December 31, 1995: DR. HENRY M. CARDER of Dallas, Dallas County, is being reappointed.

TO BE A MEMBER OF THE TEXAS STRUCTURAL PEST CONTROL BOARD: For a term to expire February 1, 1995: MRS. MERLE M. CARLSON of Houston, Harris County, will be replacing Jimmy Horner, whose name was withdrawn.

TO BE A MEMBER OF THE RIO GRANDE VALLEY POLLUTION CONTROL AUTHORITY: For a term to expire April 30, 1992: MR. MANUEL NUNEZ CARMONA of Harlingen, Cameron County, is being reappointed.

TO BE A MEMBER OF THE RIO GRANDE VALLEY POLLUTION CONTROL AUTHORITY: For a term to expire April 30, 1992: MR. JAMES DANIEL CARPENTER of Pharr, Hidalgo County, is being reappointed.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1992: MR. ROBERT WILLIAM CASTER of Palestine, Anderson County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF CRIMINAL JUSTICE: For a term to expire February 1, 1991: MR. RICHARD H. COLLINS of Dallas, Dallas County, will be replacing Ben Gallant of Corpus Christi, who was appointed to a different position on the board.

TO BE A MEMBER OF THE TEXAS AGRICULTURAL FINANCE AUTHORITY BOARD OF DIRECTORS: For a term to expire January 1, 1991: MR. EDWARD PAUL COMER of Evant, Coryell County, will be replacing John Jones of Brady, who resigned.

TO BE A MEMBER OF THE TEXAS VETERANS COMMISSION: For a term to expire December 31, 1993: MR. WILLIAM R. CRAWFORD of Plano, Collin County, will be replacing James Endicott, Jr., of Killeen, who resigned.

TO BE A MEMBER OF THE TEXAS HEALTH AND HUMAN SERVICES COORDINATING COUNCIL: For a term to expire September 1, 1991: MR. JERRY P. CUNNINGHAM of Dallas, Dallas County, is being reappointed.

TO BE A MEMBER OF THE TEXAS DIABETES COUNCIL: For a term to expire February 1, 1992: MR. H. CLAY DAHLBERG of Hunt, Kerr County, will be replacing Lily Mae Fonteno of Houston, whose term expired.

TO BE A MEMBER OF THE TEXAS DIABETES COUNCIL: For a term to expire February 1, 1992: DR. JAIME A. DAVIDSON of Dallas, Dallas County, will be replacing Dr. Luther Travis of Galveston, whose term expired.

TO BE A MEMBER OF THE BOARD OF VOCATIONAL NURSE EXAMINERS: For a term to expire September 6, 1995: MRS. CONNIE M. DAVIS of Fort Worth, Tarrant County, will be replacing Suzanne Wilkinson of Pampa, whose term expired.

TO BE A MEMBER OF THE FAMILY PRACTICE RESIDENCY ADVISORY COMMITTEE: For a term to expire August 29, 1993: DR. JACK L. EIDSON of Weatherford, Parker County, is being reappointed.

TO BE A MEMBER OF THE UPPER COLORADO RIVER AUTHORITY BOARD OF DIRECTORS: For a term to expire February 1, 1995: MR. HARRY B. ELAM of San Angelo, Tom Green County, will be replacing Douglas Rogers of Arlington, who is ineligible to serve.

TO BE A MEMBER OF THE TEXAS MOTOR VEHICLE COMMISSION: For a term to expire January 31, 1991: MR. JERRY EVERSOLE of Humble, Harris County, will be replacing Erwin Elias of Waco, who resigned.

TO BE A MEMBER OF THE COMMITTEE ON PURCHASES OF PRODUCTS AND SERVICES OF BLIND AND SEVERELY DISABLED PERSONS: For a term to expire January 31, 1991: MR. JOHN ALBERT FENOGLIO of Austin, Travis County, will be replacing JoEllen Simmons of Austin, who resigned.

TO BE A MEMBER OF THE STATE BOARD OF MEDICAL EXAMINERS: For a term to expire April 13, 1995: DR. WILLIAM H. FLEMING III of Sugar Land, Fort Bend County, will be replacing Dr. Robert Hilliard of San Antonio, whose term expired.

TO BE A MEMBER OF THE RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY BOARD OF DIRECTORS: For a term to expire April 30, 1992: MRS. SYLVIA H. FLORES of Mercedes, Hidalgo County, is being reappointed.

TO BE A MEMBER OF THE COASTAL WATER AUTHORITY: For a term to expire March 31, 1992: MR. BUSTER E. FRENCH of Dayton, Liberty County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF CRIMINAL JUSTICE: For a term to expire February 1, 1995: MR. BEN J. GALLANT of Corpus Christi, Nueces County, is being appointed to a different position on the board. He will be filling the unexpired term of Charles T. Terrell of Dallas, who resigned.

TO BE A MEMBER OF THE TRINITY RIVER AUTHORITY BOARD OF DIRECTORS: For a term to expire March 15, 1995: MR. JOSEPH C. GERARD of Malakoff, Henderson County, will be filling the unexpired term of Fred Asmussen III of Athens, who resigned.

TO BE BRANCH PILOT FOR GALVESTON BAR AND HOUSTON SHIP CHANNEL: For a term to expire October 11, 1994: CAPTAIN THOMAS L. GIBSON of Seabrook, Harris County, is being reappointed.

TO BE BRANCH PILOT FOR GALVESTON BAR AND HOUSTON SHIP CHANNEL: For a term to expire October 11, 1994: CAPTAIN R. LEONARD GLASS III of Seabrook, Harris County, is being reappointed.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MR. WILLIAM DOUGLAS GOLDING of Leander, Williamson County, will be replacing L. C. Neely, Jr., of San Antonio, whose term expired.

TO BE A MEMBER OF THE TEXAS DIABETES COUNCIL: For a term to expire February 1, 1991: MR. CHARLES R. GREGG of Houston, Harris County, will be replacing Linda Russell of Dallas, who resigned.

TO BE A MEMBER OF THE GUARANTEED STUDENT LOAN CORPORATION BOARD OF DIRECTORS: For a term to expire January 13, 1993: MR. MARK GRIFFIN of Lubbock, Lubbock County, will be replacing Will Harnett of Dallas, who resigned.

TO BE A MEMBER OF THE TEXAS WATER WELL DRILLERS BOARD: For a term to expire September 15, 1995: MS. CYNTHIA ELAINE HALL of Austin, Travis County, will be replacing Linda R. Gambill of Seymour, whose term expired.

TO BE A MEMBER OF THE TEXAS HOUSING AGENCY: For a term to expire January 31, 1995: MR. JOHN W. HAZARD of Houston, Harris County, will be replacing Rogers Pope of Longview, who resigned.

TO BE A MEMBER OF THE TEXAS ALCOHOLIC BEVERAGE COMMISSION: For a term to expire November 15, 1995: MR. JAMES R. HUFFINES of Austin, Travis County, will be replacing Morris Atlas of McAllen, whose term expired.

TO BE A MEMBER OF THE STATE PENSION REVIEW BOARD: For a term to expire January 31, 1991: MR. GARY D. HUGHES of Lubbock, Lubbock County, will be replacing Peggy McAdams of Huntsville, who resigned.

TO BE A MEMBER OF THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM BOARD OF TRUSTEES: For a term to expire December 31, 1995: MRS. KATHY HYNSON of Rosenberg, Fort Bend County, is being reappointed.

TO BE A MEMBER OF THE TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY: For a term to expire February 1, 1993: MR. TOM INGRAM of Midland, Midland County, will be replacing James P. Smothermon of Austin, who resigned.

TO BE A MEMBER OF THE STATE SEED AND PLANT BOARD: For a term to expire October 6, 1992: MR. GARY T. IVEY of Ralls, Crosby County, is being reappointed.

TO BE A MEMBER OF THE TEXAS GROWTH FUND BOARD OF TRUSTEES: For a term to expire February 1, 1991: MR. GARY G. JACOBS of Laredo, Webb County, will be replacing A. W. Riter of Tyler, who resigned.

TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES: For a term to expire February 1, 1991: MR. DOUGLAS G. JEU of Houston, Harris County, will be replacing Dr. Ester Yao of Houston, who resigned.

TO BE A MEMBER OF THE TEXAS HEALTH AND HUMAN SERVICES COORDINATING COUNCIL: For a term to expire September 1, 1991: MR. JERRY KANE of Corpus Christi, Nueces County, is being reappointed.

TO BE BRANCH PILOT FOR GALVESTON BAR AND HOUSTON SHIP CHANNEL: For a term to expire June 30, 1994: CAPTAIN BOBBY W. KIRK of Texas City, Galveston County, is being reappointed.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1991: MRS. ROSA D. COTNER LAVENDER of Kerrville, Kerr County, will be replacing Robert Cecil Gore of Rockport, who is no longer eligible.

TO BE A MEMBER OF THE STATE SEED AND PLANT BOARD: For a term to expire October 6, 1992: MR. CHARLES LEAMONS of Weimar, Colorado County, is being reappointed.

TO BE A MEMBER OF TEXAS STATE LIBRARY AND ARCHIVES COMMISSION: For a term to expire September 28, 1993: MR. BYRON LOUIS

LEFLORE of San Antonio, Bexar County, will be replacing John Ben Shepperd of Odessa, who is deceased.

TO BE A MEMBER OF THE BOARD OF VOCATIONAL NURSE EXAMINERS: For a term to expire September 6, 1995: MRS. RUTH LEOPARD of San Antonio, Bexar County, will be replacing Linda Savannah of Fort Worth, whose term expired.

TO BE A MEMBER OF THE HOSPITAL LICENSING ADVISORY COUNCIL: For a term to expire December 7, 1993: MR. DONALD G. LEWIS of Athens, Henderson County, will be replacing Irene S. Wischer of San Antonio, who resigned.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1991: DR. MARSHA W. LILLY of Stafford, Fort Bend County, will be replacing Michael Gary Hardin of Bedford, whose term expired.

TO BE A MEMBER OF THE STATE COMMISSION ON JUDICIAL CONDUCT: For a term to expire November 19, 1995: MR. A. H. "AL" LOCK of Fort Worth, Tarrant County, will be replacing Max Emmert III of Odessa, whose term expired.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1992: MR. MARK VERNON LOWRY of East Bernard, Wharton County, is being reappointed to this position.

TO BE A MEMBER OF THE LOWER COLORADO RIVER AUTHORITY BOARD OF DIRECTORS: For a term to expire February 1, 1993: MR. MICHAEL JOHN LUCKSINGER of Burnet, Burnet County, will be replacing James B. Garrison of Marble Falls, who resigned.

TO BE A MEMBER OF THE STATE BOARD OF BARBER EXAMINERS: For a term to expire January 31, 1993: MR. DAVID B. McCALL of Austin, Travis County, will be replacing William Maddox of Austin, who resigned.

TO BE PRESIDING JUDGE OF THE FIRST ADMINISTRATIVE JUDICIAL REGION: For a term to expire four years from date of qualification, to be effective after July 8, 1990: JUDGE PAT McDOWELL of Dallas, Dallas County, will be replacing Judge Ron Chapman of Dallas.

TO BE A MEMBER OF THE BOARD OF VOCATIONAL NURSE EXAMINERS: For a term to expire September 6, 1995: MS. BETTY FOX McLEMORE of Longview, Gregg County, will be replacing Rafael Acosto of Houston, whose term expired.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MS. JEAN LEWIS McREYNOLDS of Waco, McLennan County, is being reappointed.

TO BE A MEMBER OF THE TEXAS WATER DEVELOPMENT BOARD: For a term to expire December 31, 1995: MR. WILLIAM B. MADDEN of Dallas, Dallas County, will be replacing Glen Roney of McAllen, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING AIDS: For a term to expire December 31, 1995: MRS. BETTY JEANNE MARSH of El Paso, El Paso County, will be replacing Richard Durbin of Dallas, whose term expired.

TO BE A MEMBER OF THE TEXAS DEPARTMENT OF INFORMATION RESOURCES: For a term to expire February 1, 1993: MR. LYNN M. MOAK of

Austin, Travis County, is being appointed to a new position pursuant to H.B. 2736, 71st Legislature, recommended by Lt. Governor Hobby.

TO BE A MEMBER OF THE STATE BOARD OF PLUMBING EXAMINERS: For a term to expire September 5, 1995: MR. JERRY D. MOORE of Pollok, Angelina County, will be replacing Jay Lee Drymalla of Columbus, whose term expired.

TO BE A MEMBER OF THE GOVERNING BOARD OF THE TEXAS SCHOOL FOR THE DEAF: For a term to expire January 31, 1995: MRS. NANCY ELLEN MUNGER of Kyle, Hays County, will be replacing Jerry Allen James of Houston, who resigned.

TO BE JUDGE OF THE 46TH JUDICIAL DISTRICT COURT, FOARD, HARDEMAN AND WILBARGER COUNTIES: To be effective July 1, 1990: UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE DULY ELECTED AND QUALIFIED: MR. THOMAS ALLEN NEELY of Vernon, Wilbarger County, will be replacing Judge Leslie Thomas of Vernon, who resigned.

TO BE A MEMBER OF THE EDUCATIONAL EXCELLENCE COMMITTEE: For a term to expire February 1, 1995: MS. BETTE ANDREWS NOBLE of Victoria, Victoria County, will be replacing Jack Fields, Sr., of Humble, who is deceased.

TO BE A MEMBER OF THE UNDERGROUND STORAGE TANK ADVISORY COMMITTEE: For a term to expire February 1, 1991: MR. RAFAEL ORTEGA of Houston, Harris County, will be replacing Albert Gamboa, Jr., of El Paso, who resigned.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MRS. JERI OSBORNE of Panhandle, Carson County, is being reappointed.

TO BE A MEMBER OF THE STATE BOARD OF VOCATIONAL NURSE EXAMINERS: For a term to expire September 6, 1995: MRS. DORIS A. PARKER of Frankston, Henderson County, will be replacing Adelia Miller of Tyler, whose term expired.

TO BE A MEMBER OF THE NATIONAL RESEARCH LABORATORY COMMISSION: For a term to expire February 1, 1995: MR. CHARLES R. PERRY of Odessa, Ector County, is being reappointed.

TO BE BRANCH PILOT FOR THE PORTS OF GALVESTON COUNTY: For a term to expire June 1, 1994: CAPTAIN GEORGE E. PIZZITOLA of Santa Fe, Galveston County, is being reappointed.

TO BE A MEMBER OF THE HOSPITAL LICENSING ADVISORY COUNCIL: For a term to expire December 7, 1993: DR. BRUCE D. PURDY of Muleshoe, Bailey County, will be replacing Dr. Brian Harper of Rockdale, who resigned.

TO BE A MEMBER OF THE TEXAS DEPARTMENT OF COMMERCE BOARD OF DIRECTORS: For a term to expire February 1, 1993: MR. JACK M. RAINS of Houston, Harris County, will be replacing John Roach of Fort Worth, who resigned.

TO BE A MEMBER OF THE PRODUCT COMMERCIALIZATION ADVISORY BOARD: For a term to be determined at initial meeting of the board: MR. RICHARD MARTINEZ RAMIREZ of Sugar Land, Fort Bend County, is

being appointed to a new position pursuant to H.B. 362, 71st Legislature, Regular Session.

TO BE A MEMBER OF THE TEXAS SURPLUS PROPERTY AGENCY: For a term to expire March 19, 1995: MR. TREVOR DAVID REES-JONES of Dallas, Dallas County, will be replacing Tony Mercurio of El Paso, who resigned.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1992: MRS. IRENE RIECK of Brownfield, Terry County, will be replacing Diane Ewing of Irving, whose term expired.

TO BE A MEMBER OF THE STATE BOARD OF TRUSTEES FOR THE TEACHER RETIREMENT SYSTEM: For a term to expire December 31, 1995: MR. A. W. "DUB" RITER of Tyler, Smith County, will be replacing Henry Bell, Jr., of Tyler, whose term expired.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1992: MR. LEO L. RODRIGUEZ, JR., of Edinburg, Hidalgo County, will be replacing Tom Tiner of Spicewood, whose term expired.

TO BE A MEMBER OF THE TEXAS DIABETES COUNCIL: For a term to expire February 1, 1992: MS. MAURILIA RODRIGUEZ of Brownsville, Cameron County, is being reappointed.

TO BE A MEMBER OF THE FIRE FIGHTER'S RELIEF AND RETIREMENT FUND BOARD OF TRUSTEES: For a term to expire September 1, 1995: JUDGE CHARLES H. ROMANS of Uvalde, Uvalde County, will be replacing Marvin R. Setzer of Brazoria, whose term expired.

TO BE A MEMBER OF THE EAST TEXAS STATE UNIVERSITY BOARD OF REGENTS: For a term to expire February 15, 1995: MR. KARL C. ROVE of Austin, Travis County, will be replacing William Mohomes, Jr., of Dallas, who resigned.

TO BE A MEMBER OF THE NUECES RIVER AUTHORITY BOARD OF DIRECTORS: For a term to expire February 1, 1995: MR. ALVARO D. SAENZ of Corpus Christi, Nueces County, will be replacing Daniel Martinez of Corpus Christi, who resigned.

TO BE A MEMBER OF THE COMMISSION ON UNIFORM STATE LAWS: For a term to expire September 30, 1996: MR. RODNEY W. SATTERWHITE of Midland, Midland County, will be replacing Stanley Plettman of Beaumont, whose term expired.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1991: MRS. GLENDA JUDITH SCARBROUGH of Andrews, Andrews County, will be replacing Wendell Whittenburg of Sweetwater, whose term expired.

TO BE JUSTICE OF THE FIRST COURT OF APPEALS: UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE DULY ELECTED AND QUALIFIED: MR. MICHAEL H. SCHNEIDER of Houston, Harris County, will be replacing Justice James F. Warren, who is deceased.

TO BE A MEMBER OF THE PRODUCT COMMERCIALIZATION ADVISORY BOARD: For a term to be determined at initial meeting of the board: MR. RICHARD GAIL SESLER of Dallas, Dallas County, is filling a new position pursuant to H.B. 362, 71st Legislature, Regular Session, Sect. 481.297.

TO BE A MEMBER OF THE MIDWESTERN STATE UNIVERSITY BOARD OF REGENTS: For a term to expire February 25, 1996: MR. GARY H. SHORES of Wichita Falls, Wichita County, will be replacing Larry Lambert of Wichita Falls, whose term expired.

TO BE A MEMBER OF THE ADVISORY COUNCIL ON COMMUNITY AFFAIRS: For a term to expire January 31, 1992: MR. G. TED SIMONS of McLean, Gray County, is being reappointed.

TO BE A MEMBER OF THE ANTIQUITIES COMMITTEE: For a term to expire January 31, 1991: MR. D. RYAN SMITH of Canyon, Randall County, will be replacing Kenneth D. Perry of Alpine, who resigned.

TO BE A MEMBER OF THE TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL AUTHORITY: For a term to expire February 1, 1993: GENERAL JAMES P. SMOTHERMON of Austin, Travis County, will be replacing Jim R. Phillips of El Paso, whose term expired.

TO BE A MEMBER OF THE STATE BOARD OF PLUMBING EXAMINERS: For a term to expire September 5, 1995: MR. ALONZO L. STARKEY III of Kerrville, Kerr County, will be replacing Ronald Goodnight of Killeen, whose term expired.

TO BE A MEMBER OF THE TEXAS DEPARTMENT OF INFORMATION RESOURCES: For a term to expire February 1, 1993: MR. WILLIAM D. STOTESBERY of Austin, Travis County, is being appointed to a new position pursuant to H.B. 2736, 71st Legislature, recommended by Speaker Lewis.

TO BE A MEMBER OF THE UPPER NECHES RIVER MUNICIPAL WATER AUTHORITY: For a term to expire February 1, 1991: MR. MARLEY PATRICK STYNER of Palestine, Anderson County, will be replacing J. R. Hockridge of Palestine, who is deceased.

TO BE A MEMBER OF THE AGRICULTURAL RESOURCES PROTECTION AUTHORITY: For a term to expire February 1, 1991: MRS. INEZ SUDERMAN of Mission, Hidalgo County, will be replacing E. L. Caraway of Fort Worth, whose name was withdrawn.

TO BE A MEMBER OF THE TEXAS YOUTH COMMISSION: For a term to expire August 31, 1993: MRS. EDNA L. TAMAYO of Harlingen, Cameron County, will be replacing Kenn S. George of Dallas, who resigned.

TO BE A MEMBER OF THE TEXAS STATE BOARD OF MEDICAL EXAMINERS, DISTRICT IV REVIEW COMMITTEE: For a term to expire January 15, 1995: DR. VICENTE TAVAREZ of McAllen, Hidalgo County, will be replacing Dr. Luis M. Rios of McAllen, who resigned.

TO BE A MEMBER OF THE RIO GRANDE VALLEY MUNICIPAL WATER AUTHORITY BOARD OF DIRECTORS: For a term to expire April 30, 1992: MR. J. L. TAYLOR of McAllen, Hidalgo County, is being reappointed.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1992: MR. WILLIAM TENISON of Big Sandy, Wood County, is being reappointed.

TO BE A MEMBER OF THE COMMISSION ON UNIFORM STATE LAWS: For a term to expire September 30, 1996: MR. GEORGE LYMAN THOMPSON III of Lubbock, Lubbock County, will be replacing Peter Munson of Sherman, whose term expired.

TO BE A MEMBER OF THE JUDICIAL COUNCIL: For a term to expire June 30, 1995: MR. KEN TOWERY of Austin, Travis County, will be replacing J. William Hartman of Rosenberg, whose term expired.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1992: MR. SAMUEL B. VAUGHN, JR., of Henderson, Rusk County, is being reappointed.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1990: MR. SAMUEL B. VAUGHN, JR., of Henderson, Rusk County, is being appointed to a position on the board that has not been filled before.

TO BE A MEMBER OF THE BOARD OF PROFESSIONAL LAND SURVEYING: For a term to expire January 31, 1995: MR. DAVID AUGUST VILBIG of Dallas, Dallas County, will be replacing Milton Hanks of Deer Park, whose term expired.

TO BE A MEMBER OF THE STATE SEED AND PLANT BOARD: For a term to expire October 6, 1992: MR. ROMEO M. VILLARREAL of Edinburg, Hidalgo County, will be replacing Benito Trevino, Jr., of Rio Grande City, whose term expired.

TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE TEXAS COUNTY AND DISTRICT RETIREMENT SYSTEM: For a term to expire December 31, 1995: MR. BILL W. WALLIS of Tyler, Smith County, will be replacing Judge Ed Landry of Houston, whose term expired.

TO BE A MEMBER OF THE PRODUCT COMMERCIALIZATION ADVISORY BOARD: For a term to be determined at initial meeting of the board: MR. DON JENG WANG of Houston, Harris County, is filling a new position pursuant to H.B. 362, 71st Legislature, Regular Session, Section 481.297.

TO BE A MEMBER OF THE STATE BOARD OF PLUMBING EXAMINERS: For a term to expire September 5, 1995: MR. MICHAEL JOSEPH WARREN of North Richland Hills, Tarrant County, will be replacing Mario Estrada of San Antonio, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF LICENSURE FOR NURSING HOME ADMINISTRATORS: For a term to expire January 31, 1993: DR. JACK SAYRE WEINBLATT of Temple, Bell County, will be replacing Dr. Roy Borrell of Houston, who resigned.

TO BE A MEMBER OF THE PRODUCT COMMERCIALIZATION ADVISORY BOARD: For a term to be determined at initial meeting of the board: MR. BRIAN L. WEINER of San Antonio, Bexar County, is filling a new position pursuant to H.B. 362, 71st Legislature, Regular Session, Section 481.297.

TO BE A MEMBER OF THE GULF COAST WASTE DISPOSAL AUTHORITY: For a term to expire August 31, 1992: MR. OSCAR G. WEIR of Baytown, Chambers County, will be replacing Kathleen Vaughn of Baytown, who resigned.

TO BE A MEMBER OF THE COMMITTEE ON PURCHASES OF PRODUCTS AND SERVICES OF BLIND AND SEVERELY DISABLED PERSONS: For a term to expire January 31, 1991: MR. ROGER G. WELSCH of Austin, Travis County, will be replacing Henry Thomason, Jr., of Austin, who is no longer eligible.

TO BE A MEMBER OF THE GULF COAST WASTE DISPOSAL AUTHORITY: For a term to expire August 31, 1992: MR. PHILLIP ALLEN WERNER of Galveston, Galveston County, is being reappointed.

TO BE A MEMBER OF THE TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION: For a term to expire January 31, 1993: MR. EDWARD BRUNSON WEYMAN of Midland, Midland County, will be replacing F. O'Neil Griffin of Kerrville, who resigned.

TO BE A MEMBER OF THE PRODUCT COMMERCIALIZATION ADVISORY BOARD: For a term to be determined at initial meeting of the board: MR. THOMAS L. WHALEY of Marshall, Harrison County, is filling a new position pursuant to H.B. 362, 71st Legislature, Regular Session, Section 481.297.

TO BE CRIMINAL DISTRICT ATTORNEY OF CALHOUN COUNTY: UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE DULY ELECTED AND QUALIFIED: MR. JOHN D. "JACK" WHITLOW of Port Lavaca, Calhoun County, will be replacing Mark Kelly of Port Lavaca, who resigned.

TO BE A MEMBER OF THE STATE BANKING BOARD: For a term to expire January 31, 1993: DR. GEORGE WILLEFORD III of Austin, Travis County, will be replacing Wayne J. Thorburn of Austin, who resigned.

TO BE A MEMBER OF THE TEACHERS PROFESSIONAL PRACTICES COMMISSION: For a term to expire August 31, 1991: DR. JOHN E. WILSON of Amarillo, Randall County, will be replacing Dr. Arnold D. Oates of San Antonio, whose term expired.

TO BE A MEMBER OF THE ON-SITE WASTEWATER TREATMENT RESEARCH COUNCIL: For a term to expire September 1, 1992: MR. WILLIS LEO WOOD of Georgetown, Williamson County, is being reappointed.

TO BE DISTRICT ATTORNEY OF THE 143RD JUDICIAL DISTRICT, REEVES, WARD AND LOVING COUNTIES: UNTIL THE NEXT GENERAL ELECTION AND UNTIL HIS SUCCESSOR SHALL BE DULY ELECTED AND QUALIFIED: MR. DAVID P. ZAVODA of Monahans, Ward County, will be replacing Hal Rhea Upchurch of Monahans, who resigned.

Respectfully submitted,

/s/William P. Clements, Jr.
Governor of Texas

SENATE RULE 11.11 SUSPENDED

On motion of Senator Barrientos and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Nominations might consider the following appointments by the Governor: John H. Hannah, Jr., for Secretary of State and Maria Elena "Lena" Guerrero for Commissioner of the Texas Railroad Commission.

CAPITOL PHYSICIAN

Senator Brooks was recognized and presented Dr. Weldon Kolb of La Marque as the "Doctor for the Day."

The Senate welcomed Dr. Kolb and thanked him for his participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

SENATE CONCURRENT RESOLUTION 4

Senator Brooks offered the following resolution:

WHEREAS, Article III, Section 17, of the Texas Constitution provides that neither house of the legislature may adjourn for more than three days without the consent of the other house; now, therefore, be it

RESOLVED by the 72nd Legislature, That each house grant the other permission to adjourn for more than three days during the period beginning on Thursday, January 17, 1991, and ending on Tuesday, January 22, 1991.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the resolution was considered immediately and was adopted by a viva voce vote.

SENATE RESOLUTION 26

Senator Glasgow offered the following resolution:

WHEREAS, Honoring important milestones in the lives of special friends and colleagues is one of the most pleasurable tasks facing legislators; and

WHEREAS, The Members of the Texas Senate are proud to welcome Bob Johnson to the upper chamber and extend sincere birthday greetings to this distinguished gentleman as he assumes his new, yet somehow familiar and comforting role as Senate Parliamentarian; and

WHEREAS, Born January 15, 1929, in Dallas, Mr. Johnson received his bachelor of business administration degree and Juris Doctor degree from Southern Methodist University; and

WHEREAS, Since 1956, this tall, proud Texan has made his way in the rough and tumble world of politics, Lone Star style; and

WHEREAS, From his relatively modest beginnings as a newly elected representative from Dallas County until the present time, Mr. Johnson has been a recognized voice of reason, moderation, and conciliation in the corridors of power; and

WHEREAS, Resigning his House seat in 1963 to accept an appointment as Executive Director of the Texas Legislative Council and, later, one as House Parliamentarian, Mr. Johnson only added lustre to his already formidable reputation for honesty and integrity; and

WHEREAS, Noted for his impressive and intricate knowledge of every facet of state government, Mr. Johnson conscientiously and wisely served six governors, four lieutenant governors, eight speakers, and more than 1,000 members of the House and Senate; and

WHEREAS, A member of the law firm of Johnson and Johnson since 1984, he loyally answered the renewed call to public duty of a longtime friend and former House colleague to become his parliamentarian and valued counselor; and

WHEREAS, Much of his success in life has been achieved with the love and support of his charming wife, Judy; his children, Robert, Jr., Karen, Gordon, and Stanley; and his grandchildren, Haley, Katie, Emily, and Sidney; and

WHEREAS, Few individuals merit the friendship and esteem Bob Johnson has harvested during his illustrious career of inimitable public service; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby wish one of everybody's favorite people warm birthday greetings with many happy returns; and, be it further

RESOLVED, That a copy of this Resolution be prepared for Bob Johnson as an expression of deepest affection and respect from the Texas Senate.

The resolution was read and was adopted by a viva voce vote.

GUESTS PRESENTED

Senator Truan was recognized and introduced a group of distinguished guests from Kingsville, Texas, seated in the gallery: Mr. and Mrs. Willie Garza; Horacio "Hoss" Castillo, Kleberg County Democratic Chairman; Gilbert Acuna and wife Carmen; and Lois Craig.

The Senate welcomed these guests from Kingsville.

SENATE RESOLUTION 29

Senator Johnson offered the following resolution:

WHEREAS, The Senate of the State of Texas takes great pride in recognizing Dr. Martin Luther King, Jr., Day on January 21, 1991; and

WHEREAS, Born January 15, 1929, in Atlanta, Georgia, Dr. Martin Luther King, Jr., became one of the most influential men of the 20th century; and

WHEREAS, A famed orator and clergyman and a 1964 Nobel Peace Prize winner, Dr. King inspired millions to respond to his passionate belief in nonviolence and his struggle for equal rights; and

WHEREAS, Outspoken yet eloquent, his unforgettable words spurred a generation to strive for improved civil rights, equal educational opportunity, and economic well-being for all; and

WHEREAS, From the streets of Montgomery to the Birmingham jail to the steps of the Lincoln Memorial, Dr. King directed the focus of the world on the battle for human freedom and dignity; and

WHEREAS, The stirring words of Dr. King's "I have a dream . . ." speech in 1963 still evoke emotions of Americans of every race and creed; and

WHEREAS, Dr. King was a dedicated man of justice with a message of peace and love, and remembrance of him on this special day affords all Texans an opportunity to reaffirm their commitment to equal justice and opportunity for all Americans; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 72nd Legislature, hereby pay tribute to the life and work of Dr. Martin Luther King, Jr., and that when the Senate adjourns this day, it do so in his memory.

JOHNSON
ELLIS

The resolution was read.

On motion of Senator Truan and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Johnson, the resolution was adopted by a viva voce vote.

MOTION TO RECESS

On motion of Senator Brooks and by unanimous consent, the Senate at 10:38 a.m. agreed to recess until 12:00 noon today, pending the first reading and referral of bills and resolutions.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

- S.R. 18** by Glasgow Administration
Adopting permanent Senate Rules, Regular Session, 72nd Legislature.
- S.C.R. 1** by Green Administration
Granting the Texas DeMolay Association permission to use the house and senate chambers February 16 and 17, 1991, and February 22 and 23, 1992.
- S.J.R. 1** by Parker Finance
Proposing a constitutional amendment relating to distribution of the available school fund and to ad valorem taxes authorized for the support of the public schools.
- S.J.R. 2** by Johnson Jurisprudence
Proposing a constitutional amendment authorizing the legislature to provide for the election of justices to the courts of appeals from single-member or multimember districts.
- S.J.R. 3** by Johnson Jurisprudence
Proposing a constitutional amendment providing for the election of justices to the supreme court and judges to the court of criminal appeals from single-member districts.
- S.J.R. 4** by Johnson Jurisprudence
Proposing a constitutional amendment requiring the legislature to provide for the election of certain district judges from single-member judicial divisions.
- S.J.R. 5** by Barrientos, Ellis, Rosson Finance
Proposing a constitutional amendment providing for the issuance of general obligation bonds by the Texas Higher Education Coordinating Board.
- S.B. 3** by Truan Criminal Justice
Relating to offenses involving driving a motor vehicle or operating an airplane, helicopter, or boat while intoxicated and possession of an open container of alcoholic beverage, and to the civil and criminal consequences of those offenses, including the suspension of a driver's license and license plates.
- S.B. 5** by Henderson, Brooks, Green, Intergovernmental Relations
Whitmire
Relating to requiring an election before the adoption or implementation of a rail plan by certain metropolitan rapid transit authorities.
- S.B. 6** by Brown Criminal Justice
Relating to drug-free zones and to the imposition of penalties for the delivery, manufacture, or possession with the intent to deliver or manufacture a controlled substance in drug-free zones.
- S.B. 7** by Brown Criminal Justice
Relating to the right of a victim of a criminal offense to be present during certain criminal proceedings concerning the offense.
- S.B. 8** by Brown Criminal Justice
Relating to increasing the fine for certain Class C misdemeanors and to the jurisdiction of county, justice, and municipal courts.
- S.B. 9** by Brown Criminal Justice
Relating to the eligibility for parole for persons convicted of sexual assault involving a child or of injury to a child, elderly individual, or invalid individual.
- S.B. 10** by Brown, Bivins, Montford, Criminal Justice
Lyons, Brooks
Relating to the murder of an individual under six years of age as a capital offense.

- S.B. 11** by Brown Criminal Justice
Relating to the summary forfeiture of controlled substances, raw materials, and drug paraphernalia.
- S.B. 12** by Brown Criminal Justice
Relating to the taking of blood specimens of driving-while-intoxicated suspects upon the request or order of a peace officer.
- S.B. 13** by Brown Criminal Justice
Relating to the creation of an offense involving certain sales of tickets to events; providing a penalty.
- S.B. 14** by Parker, Barrientos, Brooks, Ellis, Lucio, Brown, Truan, Armbrister, Lyon Natural Resources
Subcommittee on Water
Relating to the prevention and cleanup of pollutant spills and the costs, damages, and liability arising from such spills and to derelict vessels and structures; levying a coastal protection excise tax; creating the coastal protection fund; creating offenses and providing civil and criminal penalties.
- S.B. 15** by Glasgow Education
Relating to the apportionment of the state into State Board of Education districts.
- S.B. 16** by Bivins, Lucio, Lyon Criminal Justice
Relating to persons convicted of certain offenses under the Texas Controlled Substances Act.
- S.B. 17** by Sims Criminal Justice
Relating to a defense to the prosecution of the offense of cruelty to animals.
- S.B. 18** by Sims Health and Human Services
Relating to the regulation of certain medical laboratory practitioners; providing a criminal penalty.
- S.B. 19** by Sims State Affairs
Relating to daylight saving time.
- S.B. 20** by Sims, Dickson Natural Resources
Relating to fire prevention and fire-fighting support activities of the Texas Forest Service.
- S.B. 21** by Brown, Green, Whitmire, Krier Criminal Justice
Relating to the establishment by the Texas Board of Criminal Justice of standards for population and capacity of the institutional division, to the award of administrative good conduct time and advancement of parole eligibility dates in an emergency overcrowding situation, to the acceptance by the institutional division of inmates from certain counties on a priority basis, and to the establishment of parole guidelines used in the determination of parole eligibility.
- S.B. 22** by Brown, Brooks, Tejeda Finance
Relating to exempting from ad valorem taxation certain property of organizations of members or veterans of the armed forces.
- S.B. 23** by Glasgow Criminal Justice
Relating to the ignition of fireworks on or across public roads as conduct constituting a criminal offense.
- S.B. 24** by Glasgow Finance
Relating to creation of certain industrial development corporations; authorizing the imposition and use of a county sales and use tax for industrial development.

S.B. 25 by Haley Administration
Relating to the creation, purpose, implementation, and organization of the County Park Compost Program.

S.B. 30 by Glasgow, Johnson Committee of Whole Senate
Subcommittee on Congressional Districts
Relating to the apportionment of the state into congressional districts.

S.B. 31 by Glasgow Committee of Whole Senate
Subcommittee on Legislative Districts
Relating to apportionment of the state into senatorial districts.

S.B. 32 by Green Jurisprudence
Relating to the hearing date for a suit affecting the parent-child relationship brought by a governmental entity.

S.B. 33 by Green Jurisprudence
Relating to commitment procedures and services for mentally ill and chemically dependent persons; providing penalties.

S.B. 34 by Brown, Lucio State Affairs
Relating to the name of a portion of State Highway 288.

S.B. 49 by Parker Finance
Relating to the distribution of the available school fund and to a state ad valorem tax for the support of the public schools.

S.B. 50 by Parker, Carriker Finance
Relating to the repeal of state taxes.

S.B. 51 by Parker Finance
Relating to an extension of the authorization of the Select Committee on Tax Equity and to the membership of that committee.

S.B. 52 by Green Jurisprudence
Relating to jury service; providing a penalty.

S.B. 53 by Green Criminal Justice
Relating to a requirement that a defendant released on parole or mandatory supervision reside in the county in which the defendant committed the offense for which the defendant was sentenced.

S.B. 54 by Haley State Affairs
Relating to the maximum height of a vehicle on a highway.

S.B. 55 by Ellis, Brown, Lyon Criminal Justice
Relating to drug-free zones and to the imposition of penalties for the delivery, manufacture, or possession with the intent to deliver or manufacture a controlled substance in drug-free zones.

S.B. 56 by Leedom Criminal Justice
Relating to the punishment applicable to certain offenses involving theft from a retail business.

S.B. 57 by Leedom, Montford Jurisprudence
Relating to the application of the doctrine of forum non conveniens in certain actions for damages for death or injury caused by an act or omission occurring out of state.

- S.B. 58** by Leedom Health and Human Services
Relating to the exemption of certain activities from the licensing and registration requirements under Chapter 97, Acts of the 70th Legislature, Regular Session, 1987 (Article 4477-3a, Vernon's Texas Civil Statutes).
- S.B. 59** by Leedom State Affairs
Relating to the authority of the Texas Employment Commission to accept certain donations.
- S.B. 60** by Green Intergovernmental Relations
Relating to the regulation of wild animals in certain counties.
- S.B. 61** by Green, Krier Jurisprudence
Relating to jury lists for justice courts.
- S.B. 62** by Green State Affairs
Relating to petitions filed in connection with certain candidates' applications for a place on the general primary election ballot.
- S.B. 63** by Ellis, Leedom, Armbrister, Barrientos, Education
Brooks, Brown, Dickson, Glasgow, Green, Harris of Dallas, Harris of Tarrant, Henderson, Johnson, Krier, Lucio, Moncrief, Parker, Tejeda, Truan, Turner, Whitmire, Montford, Rosson, Zaffirini, Ratliff
Relating to refunding tuition and fees at Texas institutions of higher education.
- S.B. 64** by Green, Lucio Criminal Justice
Relating to the offense of failure to identify oneself to a peace officer.
- S.B. 65** by Green Criminal Justice
Relating to the sale and use of certain fireworks in certain counties as a criminal offense.
- S.B. 66** by Dickson Education
Relating to the inclusion of athletic trainers in the minimum salary schedule for school district personnel.
- S.B. 67** by Rosson Education
Relating to the establishment of a tuition grant program for dependent children of certain public school teachers.
- S.B. 68** by Glasgow Criminal Justice
Relating to the application of the professional prosecutors law to the district attorney for the 355th Judicial District.
- S.B. 69** by Glasgow Jurisprudence
Relating to filing fees, other fees, and costs for certain types of lawsuits; making an appropriation to the attorney general.
- S.B. 70** by Ellis Finance
Relating to exempting from sales and use taxes books sold by or on behalf of a nonprofit organization.
- S.B. 71** by Sims Health and Human Services
Relating to the fee for disabled person identification cards.
- S.B. 72** by Sims Jurisprudence
Relating to the creation of a judicial district composed of Midland County.
- S.B. 73** by Sims Finance
Relating to certain expenditures from the unemployment compensation special administration fund; making an appropriation.

- S.B. 74** by Sims, Glasgow Finance
Relating to the penalty attendant to the collection of delinquent ad valorem property taxes.
- S.B. 76** by Ellis State Affairs
Relating to making a left turn in a motor vehicle onto a one-way street.
- S.B. 77** by Glasgow State Affairs
Relating to evidence of financial responsibility and submission of evidence of financial responsibility on registration of certain motor vehicles.
- S.B. 78** by Glasgow Economic Development
Relating to a requirement that a bank provide services within its local area.
- S.B. 79** by Whitmire Jurisprudence
Relating to the creation of a judicial district composed of Harris County.
- S.B. 80** by Whitmire, Ellis Jurisprudence
Relating to the creation, extension, or modification of restrictive covenants applicable to certain real estate subdivisions.
- S.B. 81** by Whitmire, Ellis Jurisprudence
Amending Chapter 230 of the Local Government Code to enable municipalities without zoning to enforce compliance with restrictions contained in a properly recorded instrument affecting a subdivision located inside the boundaries of the municipality and providing for civil penalties and injunctive relief.
- S.B. 82** by Whitmire, Bivins Criminal Justice
Amending Chapter 59 of the Code of Criminal Procedure relating to the forfeiture and disposition of certain property related to enumerated felony offenses.
- S.B. 83** by Ratliff State Affairs
Relating to the regulation of legislative advertising; providing a criminal penalty.
- S.B. 84** by Ratliff Health and Human Services
Relating to bone marrow donations.
- S.B. 85** by Ratliff Jurisprudence
Relating to the fees paid to commissioners and surveyors partitioning real property.
- S.B. 86** by Johnson Criminal Justice
Relating to the term "intoxicated" as used in defining the offense of driving while intoxicated and in the law governing the taking of specimens of body substances.
- S.B. 87** by Johnson Jurisprudence
Relating to the removal of junked motor vehicles.
- S.B. 88** by Johnson State Affairs
Relating to elimination of the requirement of a license plate on the front of a motor vehicle.
- S.B. 89** by Johnson Economic Development
Relating to the administration and operation of certain job training programs by the Texas Employment Commission.
- S.B. 90** by Johnson, Krier, Rosson, Jurisprudence
Zaffirini, Harris of Tarrant
Relating to spousal maintenance after the dissolution of certain marriages or putative marriages.

S.B. 91 by Johnson Criminal Justice
Relating to the criminal penalty for the transfer of certain weapons to minors,
intoxicated persons, or persons intending to commit a crime.

(Senator Brooks in Chair)

RECESS

In accordance with a previously adopted motion, the Senate at 10:49 a.m. took recess until 12:00 noon today.

AFTER RECESS

The Senate met at 12:00 noon and was called to order by the President.

REPORT OF STANDING COMMITTEE

By unanimous consent, Senator Barrientos submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the following appointments, have had same under consideration and report them back to the Senate with the recommendation that they be confirmed:

John H. Hannah, Jr., to be SECRETARY OF STATE.

Maria Elena "Lena" Guerrero, to be COMMISSIONER OF THE TEXAS RAILROAD COMMISSION.

NOMINEE CONFIRMED

On motion of Senator Barrientos and by unanimous consent, Senate Rule 14.02 was suspended in order that the Senate might consider the nomination of Mr. John H. Hannah, Jr., to be Secretary of State, as reported from the Committee on Nominations today.

On motion of Senator Barrientos, Mr. Hannah was confirmed as Secretary of State by the following vote: Yeas 28, Nays 0.

Absent-excused: Green, Sims.

GUEST PRESENTED

The President introduced The Honorable John H. Hannah, Jr., Secretary of State.

Mr. Hannah addressed the Senate, expressing his thanks and appreciation for his confirmation and the privilege to represent the State of Texas.

NOMINEE CONFIRMED

On motion of Senator Barrientos and by unanimous consent, Senate Rule 14.02 was suspended in order that the Senate might consider the nomination of Ms. Maria Elena "Lena" Guerrero to be Commissioner of the Texas Railroad Commission, as reported from the Committee on Nominations today.

On motion of Senator Barrientos, Ms. Guerrero was confirmed as Commissioner of the Texas Railroad Commission by the following vote: Yeas 28, Nays 0.

Absent-excused: Green, Sims.

GUESTS PRESENTED

The President introduced Commissioner Maria Elena "Lena" Guerrero and her husband, Leo Aguirre.

Commissioner Guerrero addressed the Senate stating that she would miss being a Member of the House but that she was looking forward to working as Commissioner for the "New Texas."

GUEST PRESENTED

Senator Barrientos introduced Ms. Jane Hickie, Appointments Secretary to the Governor.

The Senate welcomed Ms. Hickie.

CONGRATULATORY RESOLUTIONS

H.C.R. 23 - (Truan): Declaring the week of February 11-17, 1991, to be "Corpus Christi Museum of Science and History Week."

S.R. 28 - By Green: Extending congratulations to Sylvia Anne Escotrias and Julian Escamilla, Jr., on their marriage.

S.R. 30 - By Henderson: Extending congratulations to Jason Lombardo of Houston on achieving the rank of Eagle Scout.

RECESS

On motion of Senator Brooks, the Senate at 12:17 p.m. took recess until 11:00 a.m. tomorrow.

THIRD DAY

(Continued)

(Thursday, January 17, 1991)

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by the President.

MESSAGE FROM THE HOUSE

House Chamber
January 17, 1991

HONORABLE BOB BULLOCK
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 4, Granting the 72nd Legislature permission to adjourn for more than three days.

Respectfully submitted,
BETTY MURRAY, Chief Clerk
House of Representatives